

THURSDAY, MAY 6, 2010

EIGHTY-FIFTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Pastor Ricky Jenkins of Fellowship Memphis in Memphis, Tennessee, a guest of Senator Tate.

PLEDGE OF ALLEGIANCE

Senator Tate led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

COMMUNICATIONS

April 28, 2010

Lt. Governor Ron Ramsey
1 Legislative Plaza
Nashville, TN 37243

Dear Mr. Speaker,

This is to request to be excused from Session on Monday, May 3, 2010, through Thursday, May 6, 2010. My husband, Will, is having hip replacement surgery and my presence is needed to help in his recovery. I expect to return for Session on Monday, May 10, 2010.

Thank you for your patience in this regard.

Sincerely,

/s/ Senator Dolores Gresham
District 26

APPROVED: Lieutenant Governor
Ron Ramsey

May 5, 2010

Lt. Governor Ron Ramsey
Speaker of the Senate
1 Legislative Plaza
Nashville, TN 37243

Dear Lt. Governor Ramsey,

I respectfully request that I am excused from the 85th Legislative Day of the 106th General Assembly. I look forward to joining my colleagues on next week.

Sincerely,

/s/ Senator Ophelia Ford
State Senator, District 29

APPROVED: Lieutenant Governor
Ron Ramsey

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 954, 2508, 2626, 2837, 2870, 2911, 3110, 3330, 3398 with amendment, 3518, 3536 and 3685 with amendment; House Bill No. 2510 with amendment; Senate Joint Resolution No. 978; and House Joint Resolution No. 786.

MCNALLY, Chairperson
May 4, 2010

The Speaker announced that he had referred Senate Bills Nos. 954, 2508, 2626, 2837, 2870, 2911, 3110, 3330, 3398 with amendment, 3518, 3536 and 3685 with amendment; House Bill No. 2510 with amendment; Senate Joint Resolution No. 978; and House Joint Resolution No. 786 to the Committee on Calendar.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend that Senate Bills Nos. 2699 with amendment, 3665 with amendment, 3667 with amendment, 3668 with amendment and 3673 with amendment; and Senate Joint Resolution No. 931 be referred to Committee on Finance, Ways and Means.

TRACY, Chairperson
May 5, 2010

The Speaker announced that he had referred Senate Bills Nos. 2699 with amendment, 3665 with amendment, 3667 with amendment, 3668 with amendment and 3673 with amendment; and Senate Joint Resolution No. 931 to the Committee on Finance, Ways and Means.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 3650 and 3870.

MCNALLY, Chairperson
May 5, 2010

The Speaker announced that he had referred Senate Bills Nos. 3650 and 3870 to the Committee on Calendar.

PRESENTATION

Senator Tracy presented **Senate Joint Resolution No. 883** to the friends and family of L.D. Agee.

MOTION

Senator Haynes moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 1217**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 1217 -- Memorials, Heroism -- Representative Mike Turner, Nashville Firefighter.

On motion of Senator Haynes, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 1217** was concurred in by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

MOTION

Senator Tracy moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 1148**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 1148 by Senator Gresham.
Memorials, Death -- Mallerie Jean Graves.

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On motion of Senator Tracy, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1148** was adopted.

MOTION

Senator Overbey moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 1223**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 1223 -- Memorials, Recognition -- Dollywood, 25th anniversary.

On motion of Senator Overbey, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 1223** was concurred in.

MOTION

Senator Barnes moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 1206**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 1206 -- Memorials, Retirement -- Frances Carpenter Sumner.

On motion of Senator Barnes, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 1206** was concurred in.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 3955** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILL

The Speaker announced that the following bill was filed for introduction and passed first consideration:

Senate Bill No. 3955 by Senator Herron.

Henry County -- As introduced, subject to local approval, transfers probate court clerk responsibility from county clerk to clerk and master; transfers juvenile court clerk responsibility from county clerk to circuit court clerk. Amends Chapter 82 of the Private Acts of 1989.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 270, 3025, 3057, 3157, 3164, 3182, 3404, 3407, 3421, 3428, 3792, 3805 and 3993** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 270 -- Election Laws -- As introduced, requires citizenship status to be proven prior to registration to vote and requires certain procedures to ensure identity and citizenship status prior to voting. Amends TCA Title 2.

House Bill No. 3025 -- Highway Patrol -- As introduced, clarifies that motor carrier law enforcement officer who serves 25 years as any law enforcement officer, upon retirement, may retain service firearm. Amends TCA Title 65.

House Bill No. 3057 -- Real Property -- As introduced, requires cause of action to recover balance due upon sale of real property to foreclose a deed of trust, mortgage, or other lien where the mortgaged property sells for less than the amount due. Amends TCA Title 25; Title 28 and Title 35.

House Bill No. 3157 -- Workers' Compensation -- As introduced, allocates a sum sufficient from the premium tax collected for workers' compensation insurance to pay for the staff of the advisory council on workers' compensation instead of making retention of council's staff subject to budgetary approval in the General Appropriations Act. Amends TCA Section 50-6-121.

House Bill No. 3164 -- Taxes -- As introduced, revises the tax on unauthorized substances based on the decision of the Tennessee Supreme Court in *Waters v. Farr* to impose the tax on the dealer of unauthorized substances. Amends TCA Title 67, Chapter 4, Part 28.

House Bill No. 3182 -- Campaigns and Campaign Finance -- As introduced, prohibits foreign corporations from using funds to aid either in the election or defeat of any candidate for office. Amends TCA Title 2, Chapter 10 and Title 2, Chapter 19.

House Bill No. 3404 -- Municipal Government -- As introduced, authorizes any municipality, including those incorporated by private act, to change the date of municipal elections by ordinance to coincide with the August or November general elections and to extend the terms of incumbents to meet the new date so long as no term is extended for more than two years. Amends TCA Title 6.

House Bill No. 3407 -- Highway Patrol -- As introduced, increases fee to obtain motor vehicle accident report from \$4.00 to \$10.00. Amends TCA Title 55, Chapter 10.

House Bill No. 3421 -- Unemployment Compensation -- As introduced, requires the weekly benefit amount to be paid by electronic transfer to a specific bank account if requested by the claimant; revises certain amounts concerning benefits paid by check. Amends TCA Title 50, Chapter 7.

House Bill No. 3428 -- Adoption -- As introduced, assesses an administrative fee of \$50.00 if a defendant in a termination of parental rights case is provided with court-appointed counsel. Amends TCA Section 40-14-103.

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House Bill No. 3792 -- Prisons and Reformatory Institutions -- As introduced, increases from six to nine months after date of employment the time period within which a correctional officer must complete appropriate basic training at the Tennessee corrections institute; removes requirement that dentist appointed to perform dental work for corrections and mental health institutions must be licensed in Tennessee. Amends TCA Title 4 and Title 41.

House Bill No. 3805 -- Medical Occupations -- As introduced, removes present law regarding screening panels; revises the duties of the director of the division of health related boards; and revises present law regarding the division, licensure to practice medicine, and veterinarians. Amends TCA Title 63.

House Bill No. 3993 -- Greenbrier -- As introduced, subject to local approval, allows nonresident property owners, in compliance with general law, to vote in town elections; redefines "department head" and "officer"; revises provisions governing bond of the recorder. Amends Chapter 158 of the Private Acts of 2002.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 3953 and 3954** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 3953 Local bill -- held on desk.

Senate Bill No. 3954 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 1141 through 1147 and 1149 through 1168**; and **Senate Resolutions Nos. 220 through 222** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 1141 by Senator Tracy.
Memorials, Interns -- Richard Alexander Lewis.

Senate Joint Resolution No. 1142 by Senator Tracy.
Memorials, Interns -- Casey Lauren Click.

Senate Joint Resolution No. 1143 by Senator Black.
Memorials, Retirement -- Judy Baggett.

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Senate Joint Resolution No. 1144 by Senator Beavers.

Memorials, Academic Achievement -- Cameron Massey, Salutatorian, Wilson Central High School.

Senate Joint Resolution No. 1145 by Senator Beavers.

Memorials, Academic Achievement -- Hardie V. Sorrels IV, Salutatorian, Friendship Christian School.

Senate Joint Resolution No. 1146 by Senator Beavers.

Memorials, Academic Achievement -- Dillon K. Bane, Valedictorian, Friendship Christian School.

Senate Joint Resolution No. 1147 by Senator Burchett.

Memorials, Interns -- Nicholas Ryan Swindle.

Senate Joint Resolution No. 1149 by Senator Beavers.

Memorials, Academic Achievement -- Jessica Murray, Valedictorian, Wilson Central High School.

Senate Joint Resolution No. 1150 by Senator Ketron.

Memorials, Interns -- Charlie Hill Brooks.

Senate Joint Resolution No. 1151 by Senator Ketron.

Memorials, Interns -- Matthew Douglas Kothe.

Senate Joint Resolution No. 1152 by Senator Stewart.

Memorials, Retirement -- Gloria Rollins.

Senate Joint Resolution No. 1153 by Senator Burks.

Memorials, Death -- Donna Castle.

Senate Joint Resolution No. 1154 by Senator Finney.

Memorials, Professional Achievement -- Tolley and Lowe Incorporated, Milan Chamber of Commerce 2009 Steve March Pinnacle Award.

Senate Joint Resolution No. 1155 by Senator Finney.

Memorials, Recognition -- Patsy Perry, Milan Chamber of Commerce 2010 Woman of the Year.

Senate Joint Resolution No. 1156 by Senator Haynes.

Memorials, Death -- Reverend Joe Thomas Vickers.

Senate Joint Resolution No. 1157 by Senator Yager.

Memorials, Professional Achievement -- Jerry Stump, Chairman of American Council of Engineering Companies.

Senate Joint Resolution No. 1158 by Senators Yager and McNally.

Memorials, Recognition -- Claude Smith Harvey, Jr.

Senate Joint Resolution No. 1159 by Senator Black.

Memorials, Academic Achievement -- Kaysie Elizabeth Jackson, Salutatorian, Gallatin High School.

Senate Joint Resolution No. 1160 by Senator Black.

Memorials, Academic Achievement -- Sara Kathrine Nash, Valedictorian, Gallatin High School.

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Senate Joint Resolution No. 1161 by Senators McNally, Burchett and Woodson.
Memorials, Recognition -- James Tiller.

Senate Joint Resolution No. 1162 by Senator McNally.
Memorials, Recognition -- Hoskins Drug Store, 80th anniversary.

Senate Joint Resolution No. 1163 by Senator Herron.
Memorials, Academic Achievement -- Margaret H. Hudson, Valedictorian, Henry County High School.

Senate Joint Resolution No. 1164 by Senator Herron.
Memorials, Academic Achievement -- John Thomas Salmon, Salutatorian, Henry County High School.

Senate Joint Resolution No. 1165 by Senator Herron.
Memorials, Academic Achievement -- Victoria Pierpoint, Valedictorian, Big Sandy High School.

Senate Joint Resolution No. 1166 by Senator Herron.
Memorials, Academic Achievement -- Charles Kelby Snow, Salutatorian, Big Sandy High School.

Senate Joint Resolution No. 1167 by Senator Beavers.
Memorials, Academic Achievement -- Elizabeth Ann Rolin, Valedictorian, Trousdale County High School.

Senate Joint Resolution No. 1168 by Senator Ketron.
Memorials, Recognition -- Dr. O. Thomas Johns, 2010 Thomas A. Brady Community Service Award.

Senate Resolution No. 220 by Senator Black.
Memorials, Interns -- Jordan Woodruff.

Senate Resolution No. 221 by Senator Black.
Memorials, Interns -- Ntianu Carter.

Senate Resolution No. 222 by Senator Faulk.
Memorials, Academic Achievement -- Kegan Rinard, Jefferson County High School.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 30, 793, 974, 1019, 1158, 1159, 1161, 1165 through 1177, 1180, 1181, 1184, 1185, 1187 through 1217, 1219, 1220, 1222 and 1223; Senate Joint Resolutions Nos. 1093, 1122 through 1129 and 1131 through 1140; and Senate Resolutions Nos. 216 through 219** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 30 -- Constitutional Conventions -- As introduced, rescinds three specific resolutions from 1977 and any other resolutions passed at any time that call for a federal constitutional convention.

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The Speaker announced that he had referred House Joint Resolution No. 30 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 793 -- Highway Signs -- "Rear Admiral Jerry Creighton Breast Highway", segment of State Route 64 in Bedford County.

The Speaker announced that he had referred House Joint Resolution No. 793 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 974 -- General Assembly, Statement of Intent or Position -- Expresses support of efforts to add instruction and degree offerings in the allied health field of dispensing opticianry at Southwest Tennessee Community College.

The Speaker announced that he had referred House Joint Resolution No. 974 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 1019 -- General Assembly, Statement of Intent or Position -- Commends the Republic of China (Taiwan) for its relations with the United States and for other purposes.

The Speaker announced that he had referred House Joint Resolution No. 1019 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 1158 -- Memorials, Death -- Julia Elizabeth "Sally" Haynes.

The Speaker announced that he had referred House Joint Resolution No. 1158 to the Committee on Calendar.

House Joint Resolution No. 1159 -- Memorials, Personal Occasion -- Charles and Linda Martin, 11th wedding anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1159 to the Committee on Calendar.

House Joint Resolution No. 1161 -- Naming and Designating -- "National Nursing Home Week", May 9-15, 2010.

The Speaker announced that he had referred House Joint Resolution No. 1161 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 1165 -- Memorials, Academic Achievement -- Taylor Nicole Williams, Top 12 Graduate, Volunteer High School.

The Speaker announced that he had referred House Joint Resolution No. 1165 to the Committee on Calendar.

House Joint Resolution No. 1166 -- Memorials, Academic Achievement -- Kerrie Elizabeth Bledsoe, Top 12 Graduate, Volunteer High School.

The Speaker announced that he had referred House Joint Resolution No. 1166 to the Committee on Calendar.

House Joint Resolution No. 1167 -- Memorials, Academic Achievement -- Lauren Hope Winters, Top 12 Graduate, Volunteer High School.

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The Speaker announced that he had referred House Joint Resolution No. 1167 to the Committee on Calendar.

House Joint Resolution No. 1168 -- Memorials, Academic Achievement -- Bridgette Elaine Benton, Top 12 Graduate, Volunteer High School.

The Speaker announced that he had referred House Joint Resolution No. 1168 to the Committee on Calendar.

House Joint Resolution No. 1169 -- Memorials, Academic Achievement -- Johnathon Michael Brown, Top 12 Graduate, Volunteer High School.

The Speaker announced that he had referred House Joint Resolution No. 1169 to the Committee on Calendar.

House Joint Resolution No. 1170 -- Memorials, Academic Achievement -- Dara Danyelle Christian, Top 12 Graduate, Volunteer High School.

The Speaker announced that he had referred House Joint Resolution No. 1170 to the Committee on Calendar.

House Joint Resolution No. 1171 -- Memorials, Academic Achievement -- Jessika Ann Fletcher, Top 12 Graduate, Volunteer High School.

The Speaker announced that he had referred House Joint Resolution No. 1171 to the Committee on Calendar.

House Joint Resolution No. 1172 -- Memorials, Academic Achievement -- Tyler Blake Skelton, Top 12 Graduate, Volunteer High School.

The Speaker announced that he had referred House Joint Resolution No. 1172 to the Committee on Calendar.

House Joint Resolution No. 1173 -- Memorials, Academic Achievement -- Matthew Daniel Smith, Top 12 Graduate, Volunteer High School.

The Speaker announced that he had referred House Joint Resolution No. 1173 to the Committee on Calendar.

House Joint Resolution No. 1174 -- Memorials, Academic Achievement -- Sharon Marie Nicole Smith, Top 12 Graduate, Volunteer High School.

The Speaker announced that he had referred House Joint Resolution No. 1174 to the Committee on Calendar.

House Joint Resolution No. 1175 -- Memorials, Academic Achievement -- Megan Brittany Sears, Top 12 Graduate, Volunteer High School.

The Speaker announced that he had referred House Joint Resolution No. 1175 to the Committee on Calendar.

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House Joint Resolution No. 1176 -- Memorials, Academic Achievement -- Rickilyn Crawford, Top 12 Graduate, Volunteer High School.

The Speaker announced that he had referred House Joint Resolution No. 1176 to the Committee on Calendar.

House Joint Resolution No. 1177 -- Memorials, Recognition -- Joe Jack and Geraldine "Jerry" Dement.

The Speaker announced that he had referred House Joint Resolution No. 1177 to the Committee on Calendar.

House Joint Resolution No. 1180 -- Memorials, Recognition -- First Presbyterian Church of Smyrna, 200th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1180 to the Committee on Calendar.

House Joint Resolution No. 1181 -- Memorials, Recognition -- Cameron Schilling, 1st place in the Department of Education's Teacher License Plate Design Contest.

The Speaker announced that he had referred House Joint Resolution No. 1181 to the Committee on Calendar.

House Joint Resolution No. 1184 -- Memorials, Interns -- Hollie Harris.

The Speaker announced that he had referred House Joint Resolution No. 1184 to the Committee on Calendar.

House Joint Resolution No. 1185 -- Memorials, Recognition -- Harpeth High School's Band of Blue Winter Drumline.

The Speaker announced that he had referred House Joint Resolution No. 1185 to the Committee on Calendar.

House Joint Resolution No. 1186 -- Memorials, Recognition -- Lawrenceburg Lions Club, 75th anniversary

The Speaker announced that he had referred House Joint Resolution No. 1186 to the Committee on Calendar.

House Joint Resolution No. 1187 -- Memorials, Interns -- Spencer Douglas.

The Speaker announced that he had referred House Joint Resolution No. 1187 to the Committee on Calendar.

House Joint Resolution No. 1188 -- Memorials, Interns -- Nathan W. Whitt.

The Speaker announced that he had referred House Joint Resolution No. 1188 to the Committee on Calendar.

House Joint Resolution No. 1189 -- Memorials, Interns -- Brandon Drew Whiteley.

The Speaker announced that he had referred House Joint Resolution No. 1189 to the Committee on Calendar.

House Joint Resolution No. 1190 -- Memorials, Interns -- Jessica Tippet Sprague.

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The Speaker announced that he had referred House Joint Resolution No. 1190 to the Committee on Calendar.

House Joint Resolution No. 1191 -- Memorials, Government Officials -- Supports the National Day of Prayer; encourages Tennesseans to observe such day; encourages Department of Justice to appeal federal district court decision ruling National Day of Prayer unconstitutional.

The Speaker announced that he had referred House Joint Resolution No. 1191 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 1192 -- Memorials, Recognition -- Kaylee Radzynski, The Harold Love Outstanding Community Service Award.

The Speaker announced that he had referred House Joint Resolution No. 1192 to the Committee on Calendar.

House Joint Resolution No. 1193 -- Memorials, Academic Achievement -- Ethan Hosea, Salutatorian, Hardin County High School.

The Speaker announced that he had referred House Joint Resolution No. 1193 to the Committee on Calendar.

House Joint Resolution No. 1194 -- Memorials, Academic Achievement -- Christopher Jerrolds, Valedictorian, Hardin County High School.

The Speaker announced that he had referred House Joint Resolution No. 1194 to the Committee on Calendar.

House Joint Resolution No. 1195 -- Memorials, Academic Achievement -- Stephanie Combs, Valedictorian, Adamsville High School.

The Speaker announced that he had referred House Joint Resolution No. 1195 to the Committee on Calendar.

House Joint Resolution No. 1196 -- Memorials, Academic Achievement -- Lani Rinks, Salutatorian, Adamsville High School.

The Speaker announced that he had referred House Joint Resolution No. 1196 to the Committee on Calendar.

House Joint Resolution No. 1197 -- Memorials, Academic Achievement -- Megan Patch, Valedictorian, Red Boiling Springs High School.

The Speaker announced that he had referred House Joint Resolution No. 1197 to the Committee on Calendar.

House Joint Resolution No. 1198 -- Memorials, Academic Achievement -- Paige Ferguson, Valedictorian, Red Boiling Springs High School.

The Speaker announced that he had referred House Joint Resolution No. 1198 to the Committee on Calendar.

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House Joint Resolution No. 1199 -- Memorials, Interns -- Amorya Myonna Orr.

The Speaker announced that he had referred House Joint Resolution No. 1199 to the Committee on Calendar.

House Joint Resolution No. 1200 -- Memorials, Interns -- Jennifer Pinho.

The Speaker announced that he had referred House Joint Resolution No. 1200 to the Committee on Calendar.

House Joint Resolution No. 1201 -- Memorials, Recognition -- Miss Tennessee National Teenager Scholarship Program and Paige Goddard, State Director.

The Speaker announced that he had referred House Joint Resolution No. 1201 to the Committee on Calendar.

House Joint Resolution No. 1202 -- Memorials, Recognition -- Ronald E. Rogers.

The Speaker announced that he had referred House Joint Resolution No. 1202 to the Committee on Calendar.

House Joint Resolution No. 1203 -- Memorials, Retirement -- Jerry Bomar.

The Speaker announced that he had referred House Joint Resolution No. 1203 to the Committee on Calendar.

House Joint Resolution No. 1204 -- Memorials, Recognition -- Confucius Institute at the University of Memphis, 3rd anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1204 to the Committee on Calendar.

House Joint Resolution No. 1205 -- Memorials, Recognition -- Sam Bomarito, Pete & Sam's restaurant.

The Speaker announced that he had referred House Joint Resolution No. 1205 to the Committee on Calendar.

House Joint Resolution No. 1206 -- Memorials, Retirement -- Frances Carpenter Sumner.

The Speaker announced that he had referred House Joint Resolution No. 1206 to the Committee on Calendar.

House Joint Resolution No. 1207 -- Memorials, Sports -- Jackson County High School girls basketball team, Class A State Champions.

The Speaker announced that he had referred House Joint Resolution No. 1207 to the Committee on Calendar.

House Joint Resolution No. 1208 -- Memorials, Personal Occasion -- William Edward Rice, Jr., and Virginia "Ginger" Crockett Rice, 50th wedding anniversary.

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The Speaker announced that he had referred House Joint Resolution No. 1208 to the Committee on Calendar.

House Joint Resolution No. 1209 -- Memorials, Public Service -- Jason Allen Arboretum Trail at Long Hunter State Park.

The Speaker announced that he had referred House Joint Resolution No. 1209 to the Committee on Calendar.

House Joint Resolution No. 1210 -- Memorials, Public Service -- Ms. Liana Dranes Natural Circle Room at Long Hunter State Park.

The Speaker announced that he had referred House Joint Resolution No. 1210 to the Committee on Calendar.

House Joint Resolution No. 1211 -- Memorials, Professional Achievement -- Jim Milan, Lewis County School System Teacher of the Year, High School.

The Speaker announced that he had referred House Joint Resolution No. 1211 to the Committee on Calendar.

House Joint Resolution No. 1212 -- Memorials, Professional Achievement -- Amanda Pennington, Lewis County School System Teacher of the Year, Intermediate.

The Speaker announced that he had referred House Joint Resolution No. 1212 to the Committee on Calendar.

House Joint Resolution No. 1213 -- Memorials, Professional Achievement -- Sandra Thompson, 2009-2010 Lewis County Elementary School Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1213 to the Committee on Calendar.

House Joint Resolution No. 1214 -- Memorials, Professional Achievement -- Lillie Mitchell, 2009-2010 Lewis County Middle School Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1214 to the Committee on Calendar.

House Joint Resolution No. 1215 -- Memorials, Recognition -- Charles T. Floyd.

The Speaker announced that he had referred House Joint Resolution No. 1215 to the Committee on Calendar.

House Joint Resolution No. 1216 -- Memorials, Death -- Prebble T. Galloway.

The Speaker announced that he had referred House Joint Resolution No. 1216 to the Committee on Calendar.

House Joint Resolution No. 1217 -- Memorials, Heroism -- Representative Mike Turner, Nashville Firefighter.

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The Speaker announced that he had referred House Joint Resolution No. 1217 to the Committee on Calendar.

House Joint Resolution No. 1219 -- Memorials, Public Service -- Representative Ben West, Jr.

The Speaker announced that he had referred House Joint Resolution No. 1219 to the Committee on Calendar.

House Joint Resolution No. 1220 -- Memorials, Public Service -- Representative John Litz.

The Speaker announced that he had referred House Joint Resolution No. 1220 to the Committee on Calendar.

House Joint Resolution No. 1222 -- Naming and Designating -- "National Peace Officers Memorial Day", May 12, 2010.

The Speaker announced that he had referred House Joint Resolution No. 1222 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 1223 -- Memorials, Recognition -- Dollywood, 25th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1223 to the Committee on Calendar.

Senate Joint Resolution No. 1093 -- Memorials, Recognition -- Johnson City Country Club, National Register of Historic Places.

The Speaker announced that he had referred Senate Joint Resolution No. 1093 to the Committee on Finance, Ways and Means.

Senate Joint Resolution No. 1122 -- Memorials, Academic Achievement -- Danielle Hadorn, Valedictorian, Sevier County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1122 to the Committee on Calendar.

Senate Joint Resolution No. 1123 -- Memorials, Academic Achievement -- Allison Galyon, Valedictorian, Sevier County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1123 to the Committee on Calendar.

Senate Joint Resolution No. 1124 -- Memorials, Professional Achievement -- Ashley Seavers, Educator of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 1124 to the Committee on Calendar.

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Senate Joint Resolution No. 1125 -- Memorials, Recognition -- Lynn Arnold, Milan Chamber of Commerce 2010 Man of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 1125 to the Committee on Calendar.

Senate Joint Resolution No. 1126 -- Memorials, Academic Achievement -- Katey Hopkins, Honored Achiever, Jefferson County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1126 to the Committee on Calendar.

Senate Joint Resolution No. 1127 -- Memorials, Academic Achievement -- Kathryn Gray, Honored Achiever, Jefferson County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1127 to the Committee on Calendar.

Senate Joint Resolution No. 1128 -- Memorials, Academic Achievement -- Wesley Blair, Salutatorian, DeKalb County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1128 to the Committee on Calendar.

Senate Joint Resolution No. 1129 -- Memorials, Interns -- Robert Callahan.

The Speaker announced that he had referred Senate Joint Resolution No. 1129 to the Committee on Calendar.

Senate Joint Resolution No. 1131 -- Memorials, Academic Achievement -- Ashly Ann Roby, Valedictorian, Houston County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1131 to the Committee on Calendar.

Senate Joint Resolution No. 1132 -- Memorials, Academic Achievement -- Michelene Elyse Collard, Valedictorian, Houston County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1132 to the Committee on Calendar.

Senate Joint Resolution No. 1133 -- Memorials, Academic Achievement -- Amy Elizabeth Mitchum, Valedictorian, Houston County High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1133 to the Committee on Calendar.

Senate Joint Resolution No. 1134 -- Memorials, Academic Achievement -- Zachary B. Cleghern, Salutatorian, Houston County High School.

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The Speaker announced that he had referred Senate Joint Resolution No. 1134 to the Committee on Calendar.

Senate Joint Resolution No. 1135 -- Memorials, Academic Achievement -- Dillon Scott Jones, Valedictorian, Sycamore High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1135 to the Committee on Calendar.

Senate Joint Resolution No. 1136 -- Memorials, Academic Achievement -- Chelsey Hannah Mixer, Salutatorian, Sycamore High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1136 to the Committee on Calendar.

Senate Joint Resolution No. 1137 -- Memorials, Personal Occasion -- Jody and Reneé Wigington, 30th wedding anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 1137 to the Committee on Calendar.

Senate Joint Resolution No. 1138 -- Memorials, Death -- Thomas Cartwright.

The Speaker announced that he had referred Senate Joint Resolution No. 1138 to the Committee on Calendar.

Senate Joint Resolution No. 1139 -- Memorials, Academic Achievement -- Alisha DeeAnn Hunter, Salutatorian, Sycamore High School.

The Speaker announced that he had referred Senate Joint Resolution No. 1139 to the Committee on Calendar.

Senate Joint Resolution No. 1140 -- Memorials, Personal Achievement -- Jacob Smith, Eagle Scout.

The Speaker announced that he had referred Senate Joint Resolution No. 1140 to the Committee on Calendar.

Senate Resolution No. 216 -- General Assembly, Statement of Intent or Position -- Expresses support of a world-class public education system for Tennessee and expectations that teachers, parents, and students must all pursue excellence to achieve that goal.

The Speaker announced that he had referred Senate Resolution No. 216 to the Committee on Finance, Ways and Means.

Senate Resolution No. 217 -- Memorials, Death -- Betty Middlecoff.

The Speaker announced that he had referred Senate Resolution No. 217 to the Committee on Calendar.

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Senate Resolution No. 218 -- Memorials, Academic Achievement -- Kariah Petrille, Salutatorian, Heritage Christian Academy.

The Speaker announced that he had referred Senate Resolution No. 218 to the Committee on Calendar.

Senate Resolution No. 219 -- Memorials, Academic Achievement -- Stephanie Burnette, Valedictorian, Heritage Christian Academy.

The Speaker announced that he had referred Senate Resolution No. 219 to the Committee on Calendar.

NOTICES

MESSAGE FROM THE HOUSE

April 29, 2010

MR. SPEAKER: I am directed to request the return of House Bill No. 2452, for further consideration.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2465, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2712, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 29, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3430, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

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MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3602, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 306, amended and concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2593. The House nonconcurred in Senate Amendment No. 2.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1184. The House lifted the tabling motion, reconsidered House Bill No. 1184, reconsidered and withdrew the motion to concur in Senate Amendment No. 3 and nonconcurred in Senate Amendment No. 3.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 29, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3161. The House lifted the tabling motion to reconsider Senate Bill No. 3161. The House reconsidered Senate Bill No. 3161, withdrew House Amendment No. 2, adopted House Amendment No. 3 and repassed Senate Bill No. 3161, as amended, on third and final consideration.

BURNEY T. DURHAM,
Chief Clerk.

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 1122 -- Memorials, Academic Achievement -- Danielle Hadorn, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1123 -- Memorials, Academic Achievement -- Allison Galyon, Valedictorian, Sevier County High School.

Senate Joint Resolution No. 1124 -- Memorials, Professional Achievement -- Ashley Seavers, Educator of the Year.

Senate Joint Resolution No. 1125 -- Memorials, Recognition -- Lynn Arnold, Milan Chamber of Commerce 2010 Man of the Year.

Senate Joint Resolution No. 1126 -- Memorials, Academic Achievement -- Katey Hopkins, Honored Achiever, Jefferson County High School.

Senate Joint Resolution No. 1127 -- Memorials, Academic Achievement -- Kathryn Gray, Honored Achiever, Jefferson County High School.

Senate Joint Resolution No. 1128 -- Memorials, Academic Achievement -- Wesley Blair, Salutatorian, DeKalb County High School.

Senate Joint Resolution No. 1129 -- Memorials, Interns -- Robert Callahan.

Senate Joint Resolution No. 1131 -- Memorials, Academic Achievement -- Ashly Ann Roby, Valedictorian, Houston County High School.

Senate Joint Resolution No. 1132 -- Memorials, Academic Achievement -- Michelene Elyse Collard, Valedictorian, Houston County High School.

Senate Joint Resolution No. 1133 -- Memorials, Academic Achievement -- Amy Elizabeth Mitchum, Valedictorian, Houston County High School.

Senate Joint Resolution No. 1134 -- Memorials, Academic Achievement -- Zachary B. Cleghern, Salutatorian, Houston County High School.

Senate Joint Resolution No. 1135 -- Memorials, Academic Achievement -- Dillon Scott Jones, Valedictorian, Sycamore High School.

Senate Joint Resolution No. 1136 -- Memorials, Academic Achievement -- Chelsey Hannah Mixer, Salutatorian, Sycamore High School.

Senate Joint Resolution No. 1137 -- Memorials, Personal Occasion -- Jody and Reneé Wigington, 30th wedding anniversary.

Senate Joint Resolution No. 1138 -- Memorials, Death -- Thomas Cartwright.

Senate Joint Resolution No. 1139 -- Memorials, Academic Achievement -- Alisha DeeAnn Hunter, Salutatorian, Sycamore High School.

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Senate Joint Resolution No. 1140 -- Memorials, Personal Achievement -- Jacob Smith, Eagle Scout.

Senate Resolution No. 217 -- Memorials, Death -- Betty Middlecoff.

Senate Resolution No. 218 -- Memorials, Academic Achievement -- Kariah Petrille, Salutatorian, Heritage Christian Academy.

Senate Resolution No. 219 -- Memorials, Academic Achievement -- Stephanie Burnette, Valedictorian, Heritage Christian Academy.

House Joint Resolution No. 1158 -- Memorials, Death -- Julia Elizabeth "Sally" Haynes.

House Joint Resolution No. 1159 -- Memorials, Personal Occasion -- Charles and Linda Martin, 11th wedding anniversary.

House Joint Resolution No. 1165 -- Memorials, Academic Achievement -- Taylor Nicole Williams, Top 12 Graduate, Volunteer High School.

House Joint Resolution No. 1166 -- Memorials, Academic Achievement -- Kerrie Elizabeth Bledsoe, Top 12 Graduate, Volunteer High School.

House Joint Resolution No. 1167 -- Memorials, Academic Achievement -- Lauren Hope Winters, Top 12 Graduate, Volunteer High School.

House Joint Resolution No. 1168 -- Memorials, Academic Achievement -- Bridgette Elaine Benton, Top 12 Graduate, Volunteer High School.

House Joint Resolution No. 1169 -- Memorials, Academic Achievement -- Johnathon Michael Brown, Top 12 Graduate, Volunteer High School.

House Joint Resolution No. 1170 -- Memorials, Academic Achievement -- Dara Danyelle Christian, Top 12 Graduate, Volunteer High School.

House Joint Resolution No. 1171 -- Memorials, Academic Achievement -- Jessika Ann Fletcher, Top 12 Graduate, Volunteer High School.

House Joint Resolution No. 1172 -- Memorials, Academic Achievement -- Tyler Blake Skelton, Top 12 Graduate, Volunteer High School.

House Joint Resolution No. 1173 -- Memorials, Academic Achievement -- Matthew Daniel Smith, Top 12 Graduate, Volunteer High School.

House Joint Resolution No. 1174 -- Memorials, Academic Achievement -- Sharon Marie Nicole Smith, Top 12 Graduate, Volunteer High School.

House Joint Resolution No. 1175 -- Memorials, Academic Achievement -- Megan Brittany Sears, Top 12 Graduate, Volunteer High School.

House Joint Resolution No. 1176 -- Memorials, Academic Achievement -- Rickilyn Crawford, Top 12 Graduate, Volunteer High School.

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House Joint Resolution No. 1177 -- Memorials, Recognition -- Joe Jack and Geraldine "Jerry" Dement.

House Joint Resolution No. 1192 -- Memorials, Recognition -- Kaylee Radzynski, The Harold Love Outstanding Community Service Award.

Senator Faulk moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

MOTION

Senator Faulk moved that **House Joint Resolution No. 807** be rereferred to the Committee on Finance, Ways and Means, which motion prevailed.

CONSENT CALENDAR NO. 2

Objections having been raised, the following resolution was placed at the heel of the calendar for Monday, May 10, 2010, pursuant to Rule 38: **Senate Joint Resolution No. 860**.

Senate Bill No. 2382 -- Special License Plates -- As introduced, authorizes widows and widowers of persons entitled to receive holders of Purple Heart memorial plate to obtain plate upon such person's death. Amends TCA Title 55, Chapter 4.

Senate Bill No. 3457 -- Motor Vehicles -- As introduced, allows highway maintenance or utility vehicles to operate a white, amber, or white and amber light system on any location on the vehicle. Amends TCA Title 55, Chapter 9, Part 4.

Senate Bill No. 3044 -- Traffic Safety -- As introduced, clarifies that municipalities may by ordinance adopt all provisions of law included in the rules of the road for local enforcement. Amends TCA Title 55, Chapter 10, Part 3.

On motion, Senate Bill No. 3044 was made to conform with **House Bill No. 3267**.

On motion, House Bill No. 3267, on same subject, was substituted for Senate Bill No. 3044.

Senate Bill No. 3537 -- Aircraft and Airports -- As introduced, clarifies property that is excluded from being defined as a heliport in a tourist resort county is limited to private property used for the landing of a privately owned and operated helicopter for private non-commercial purposes. Amends TCA Section 42-8-101.

On motion, Senate Bill No. 3537 was made to conform with **House Bill No. 3225**.

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On motion, House Bill No. 3225, on same subject, was substituted for Senate Bill No. 3537.

Senate Bill No. 3688 -- Comptroller, State -- As introduced, authorizes the comptroller to require all persons prior to employment with the office of the comptroller to agree to release of investigative records and to supply a fingerprint sample and submit to a criminal history records check; comptroller will pay cost of the background investigations. Amends TCA Title 8, Chapter 4.

On motion, Senate Bill No. 3688 was made to conform with **House Bill No. 3605**.

On motion, House Bill No. 3605, on same subject, was substituted for Senate Bill No. 3688.

Senate Joint Resolution No. 978 -- Highway Signs -- "William W. Hall Memorial Bridge", State Route 48 in Dickson County.

House Joint Resolution No. 777 -- General Assembly, Directed Studies -- Directs Department of Transportation and Department of Safety to study safety issues involving tractor trailers parking alongside interstate highways and adjacent areas.

House Joint Resolution No. 813 -- General Assembly, Directed Studies -- Directs the Department of Safety to study the use of certified mail notification relative to the suspension and revocation of driver licenses.

House Joint Resolution No. 1016 -- Memorials, Recognition -- Look Twice Save a Life program.

House Joint Resolution No. 1022 -- Naming and Designating -- "Foot Health Awareness Month", April 2010.

Senator Faulk moved that all Senate Joint Resolutions be adopted; all House Joint Resolutions be concurred in; and all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	27
Noes	0

Senators voting aye were: Barnes, Beavers, Black, Bunch, Burchett, Burks, Crowe, Faulk, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--27.

A motion to reconsider was tabled.

CALENDAR NO. 1

Senator Watson moved that **Senate Bill No. 2424** be placed on the Calendar for Thursday, May 13, 2010, which motion prevailed.

Senate Bill No. 2430 -- Sunset Laws -- As introduced, extends state board for licensing contractors, June 30, 2014. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 6.

On motion, Senate Bill No. 2430 was made to conform with **House Bill No. 2455**.

On motion, House Bill No. 2455, on same subject, was substituted for Senate Bill No. 2430.

Senator Watson moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following language immediately preceding the effective date section and by renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 62-6-104, is amended by deleting the section in its entirety and by substituting instead the following:

Section 62-6-104.

(a)(1) There is created a state board for licensing contractors, called the "board" in this part, to be appointed by the governor. The board shall be composed of nine (9) members, all of whom shall be residents of this state and at least three (3) of whom shall be actively engaged as residential contractors and shall compose the residential review board to consider and handle all informal conferences pertaining to residential construction, at least two (2) of whom shall be actively engaged as commercial building contractors, at least one (1) of whom shall be actively engaged as a mechanical contractor, at least one (1) of whom shall be actively engaged as an electrical contractor, at least one (1) of whom shall be actively engaged as a highway, railroad or airport contractor, and at least one (1) of whom shall be a person who is not engaged as a contractor in any county of this state and has no commercial or professional association with the residential contracting profession or industry, either directly or indirectly. All board members who are required to be in the business of contracting shall have been actively engaged in the business for a period of no less than ten (10) years immediately preceding their appointment and shall be licensed in the classification in which the member is serving upon the board. There shall be no more than one (1) board member in any specific classification provided in this subdivision (a)(1) residing within any one (1) grand division of this state and no more than three (3) board members residing in any one (1) grand division. In making appointments to the board, the governor shall strive to ensure that at least one (1) person serving on the board is sixty (60) years of age or older and that at least one (1) person serving on the board is a member of a racial minority.

(2) For each member appointed to the board who is a residential contractor, the Home Builders Association of Tennessee, Inc., may submit a list of recommended persons to the governor; and the governor may consult with the Home Builders Association of Tennessee, Inc., about its recommendations before making any such

appointment. Appointments made pursuant to this subdivision (a)(2) shall be made by the governor at the expiration of the respective terms of the members presently serving on the board.

(b) Any member of the board who fails to attend at least two-thirds (2/3) of the regularly scheduled meetings of the board shall automatically be removed from the board and a successor member shall be appointed by the governor in the way and manner provided by this part.

(c) All subsequent appointments of successor members shall be made by the governor at the expiration of the respective terms of the members in the way and manner provided by this part.

(d)(1) Notwithstanding the provisions of § 3-6-304, or any other law to the contrary, and in addition to all other requirements for membership on the board:

(A) Any person registered as a lobbyist pursuant to the registration requirements of Title 3, Chapter 6, who is subsequently appointed or otherwise named as a member of the board shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the board, prior to serving as a member of the board. The provisions of this subdivision (1)(A) shall apply to all persons appointed or otherwise named to the board after July 1, 2010;

(B) No person who is a member of the board shall be permitted to register or otherwise serve as a lobbyist pursuant to Title 3, Chapter 6, for any entity whose business endeavors or professional activities are regulated by the board during such person's period of service as a member of the board. The provisions of this subdivision (1)(B) shall apply to all persons appointed or otherwise named to the board after July 1, 2010, and to all persons serving on the board on such date who are not registered as lobbyists; and

(C) No person who serves as a member of the board shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the board for one (1) year following the date such person's service on the board ends. The provisions of this subdivision (1)(C) shall apply to persons serving on the board as of July 1, 2010, and to persons appointed to the board subsequent to such date.

(2) A person who violates the provisions of this subsection shall be subject to the penalties prescribed in Title 3, Chapter 6.

(3) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subsection. All such rules and regulations shall be promulgated in

accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

SECTION __. The provision of this act which prohibits persons who are not engaged as contractors in any county of this state from serving on the board due to such person having a direct or indirect association with the residential contracting profession shall apply to all such member appointments made to the board after July 1, 2010.

Senator Watson moved that **House Bill No. 2455** be placed on the Calendar for Thursday, May 13, 2010, which motion prevailed.

Senator Watson moved that **Senate Bills Nos. 2440, 2443, 2445, 2449, 2451, 2453, 2455, 2456, 2457, 2458, 2459, 2461, 2462, 2463, 2464 and 2467** be placed on the Calendar for Thursday, May 13, 2010, which motion prevailed.

CALENDAR NO. 2

Senate Bill No. 129 -- County Officers -- As introduced, requires county attorneys to consult and advise county officials and employees as to their respective duties under federal and state law. Amends TCA Title 5.

On motion, Senate Bill No. 129 was made to conform with **House Bill No. 195**.

On motion, House Bill No. 195, on same subject, was substituted for Senate Bill No. 129.

On motion of Senator Ketron, Amendment No. 1 was withdrawn.

Senator Ketron moved that **House Bill No. 195** be moved two places down on Calendar No. 2 for today, which motion prevailed.

Senate Bill No. 1113 -- Criminal Procedure -- As introduced, provides that the records of a person charged with a crime who is found not guilty of the crime are automatically destroyed rather than requiring the person to petition the court for destruction. Amends TCA Title 40, Chapter 32, Part 1.

On motion, Senate Bill No. 1113 was made to conform with **House Bill No. 1277**.

On motion, House Bill No. 1277, on same subject, was substituted for Senate Bill No. 1113.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1277** passed its third and final consideration by the following vote:

Ayes	28
Noes	0

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Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Tate, Watson, Yager and Mr. Speaker Ramsey--28.

A motion to reconsider was tabled.

Senate Bill No. 1560 -- Contractors -- As introduced, specifies the manner in which notices and answers required or authorized to be made or filed with the board of licensing contractors may be served. Amends TCA Title 62, Chapter 6.

On motion, Senate Bill No. 1560 was made to conform with **House Bill No. 1242**.

On motion, House Bill No. 1242, on same subject, was substituted for Senate Bill No. 1560.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

On motion of Senator McNally, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 1242** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

FURTHER ACTION ON HOUSE BILL NO. 195

Thereupon, **House Bill No. 195** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 2804 -- Health Care -- As introduced, revises definition of project, in the case of a hospital institution, in special purpose health corporations provisions to specify that project includes a "primary care clinic" instead of a "clinic". Amends TCA Title 48, Chapter 101, Part 3.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 48-101-301, is amended by adding the following language as a new, appropriately designated subdivision:

() "Clinic" means a not for profit, out-patient, non-hospital facility providing:

- (A) Primary health care;
- (B) Dental care;
- (C) Eye care;
- (D) Child delivery or birthing facilities; or
- (E) Any other out-patient health care service.

SECTION 2. Tennessee Code Annotated, Section 48-101-301(14), is amended by adding the following language as a new subdivision (I):

(I) "Project", in the case of a clinic, means a structure, facility, machinery, equipment or other property suitable for use by a clinic, including, without limitation, supporting facilities including a site therefor, a computer facility, a laboratory, a maintenance facility, administrative offices, parking facilities, x-ray facilities, facilities for specialized diagnostic or out-patient treatment or any combination of the foregoing; and, funds to be used by any such clinic in connection with the operation thereof, including, but not limited to, maintenance and supply costs, heating, lighting and other utility expenditures, repair and replacement expenses, employee compensation and administrative costs and expenses; furthermore, in the case of a clinic, "project" means the purchase of the accounts receivable of any aforescribed institution;

SECTION 3. Tennessee Code Annotated, Section 48-101-308(a), is amended by deleting subdivisions (6), (7) and (8) in their entirety, and by substituting instead the following language:

(6) Lease to a hospital institution, clinic, not for profit blood bank or blood center, or an institution for higher education or a housing facility, one (1) or more projects upon such terms and conditions as the board of directors shall deem proper and charge and collect rent therefor and terminate any such lease upon the failure of the lessee to comply with any of the obligations thereof; and include in any such lease, if desired, provisions that the lessee thereof shall have options to renew the term of the lease for such period or periods and at such rent as shall be determined by the board of directors of the corporation and/or to purchase any or all of its projects or that, upon payment of all of the indebtedness of the corporation, it may lease or convey any or all of its projects to the lessees thereof with or without consideration;

(7) Sell to a hospital institution, clinic, not for profit blood bank or blood center, or an institution for higher education or a housing facility or educational institution for physically and mentally retarded individuals, one (1) or more projects for such

payments and upon such terms and conditions as the board of directors of the corporation may deem advisable in accordance with the provisions of sale contracts entered into pursuant to this part;

(8) Enter into loan agreements with a hospital institution, clinic, not for profit blood bank or blood center, or an institution for higher education or educational institutions for physically and mentally retarded individuals or a housing facility with respect to one (1) or more projects for such payments and upon such terms and conditions as the board of directors of the corporation may deem advisable in accordance with the provisions of this part;

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator McNally moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting the amendatory language "Clinic" in Section 1 of the bill, as amended, and by substituting instead the following:

"Clinic", except in the context of a hospital-based facility,

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 2804**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 3011 -- Property -- As introduced, provides that owners of land used for private airstrips and other such activities shall owe no duty of care to keep such land safe for entry by others for aviation purposes or to warn of hazardous conditions. Amends TCA Title 70, Chapter 7.

On motion, Senate Bill No. 3011 was made to conform with **House Bill No. 3314**.

On motion, House Bill No. 3314, on same subject, was substituted for Senate Bill No. 3011.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

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Thereupon, **House Bill No. 3314** passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Woodson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

Senate Bill No. 3317 -- Sheriffs -- As introduced, requires counties that, prior to the effective date of this act, have not already created a civil service board for employees of the sheriff's department to create such a board by October 1, 2010. Amends TCA Title 8, Chapter 8.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-8-419, is amended by deleting subsection (a) in its entirety and by substituting instead the following language:

(a)(1) No person holding a position in the classified service shall take an active part in any political campaign while on duty.

(2)(A) No employee of the sheriff's department shall solicit money for political campaigns; provided that, such restriction shall not prohibit an employee, including a deputy sheriff, who is running for an elected office from soliciting and accepting campaign contributions for such person's own election campaign if the person is not on duty or in uniform when such activities occur.

(B) No employee of the sheriff's office shall make any public endorsement of any candidate in any campaign for elected office; provided that, if an employee or deputy sheriff is running for an elected office then such restriction shall not apply to that employee or deputy sheriff's own campaign.

(3) A deputy sheriff shall not use such position to reflect the deputy sheriff's personal political feelings as those of the sheriff's department or to exert any pressure on anyone to influence that person's political views.

(4) No employee while on duty, nor any officer while in uniform, shall display any political advertising or paraphernalia on such person's body or automobile.

SECTION 2. Tennessee Code Annotated, Section 8-8-402, is amended by designating the existing language as subsection (a), by deleting the language "This part" and

by substituting instead the language "Except as provided in subsection (b), this part"; and by adding the following language to be designated as subsection (b):

(b) On or after the effective date of this act, § 8-8-419 (a)(2) shall apply in any particular county which has adopted or which after the effective date of this act makes this part applicable to such county, and shall also apply in any other county, notwithstanding any private act, resolution, personnel policy or charter provision to the contrary, which has adopted or which adopts a sheriff's civil service law.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

MR. SPEAKER RAMSEY RELINQUISHES CHAIR

Mr. Speaker Ramsey relinquished the Chair to Senator Woodson as Speaker pro tempore.

On motion, Amendment No. 1 was adopted.

Senator Kelsey moved that **Senate Bill No. 3317**, as amended, be moved five places down on Calendar No. 2 for today, which motion prevailed.

Senate Bill No. 3638 -- Child Abuse -- As introduced, encourages public transportation buses to promote a parental help line run by Prevent Child Abuse Tennessee; requires schools and child care facilities to distribute information on such help line. Amends TCA Title 37, Chapter 10.

On motion, Senate Bill No. 3638 was made to conform with **House Bill No. 3753**.

On motion, House Bill No. 3753, on same subject, was substituted for Senate Bill No. 3638.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 10, is amended by adding the following as a new part:

§ 37-10-501. In an effort to inform the citizens of Tennessee of a free resource for families and reduce instances of child abuse, the following measures shall be performed. All public transportation buses within the State of Tennessee are urged to promote the existence of a parental help line organized by the nonprofit organization Prevent Child Abuse Tennessee and the telephone numbers for such organization, 1-800-356-6767 and 1-800-CHILDREN, as space allows in interior advertising. The Department of Education shall urge all local education agencies to distribute information on the help line including the telephone number to students and the students' parents. The Department of Human Services shall also urge any licensed child care facility to distribute information on the help line including the telephone number to the parents of children who attend the facility. The provisions of this

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section shall assist children, parents, teachers and child care workers in providing the information and support necessary for the positive development of children through a currently existing and free to the public resource.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 3753**, as amended, passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson and Yager--28.

A motion to reconsider was tabled.

Senate Bill No. 3640 -- Public Utilities -- As introduced, permits a certificated provider of local exchange telephone services to file a tariff with the authority regulating such services. Amends TCA Section 65-5-109.

Senator Kyle recused himself on **Senate Bill No. 3640**.

On motion, Senate Bill No. 3640 was made to conform with **House Bill No. 3773**.

On motion, House Bill No. 3773, on same subject, was substituted for Senate Bill No. 3640.

On motion of Senator Ketron, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3773** passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Southerland, Tate, Tracy, Watson, Woodson and Yager--28.

A motion to reconsider was tabled.

Senate Bill No. 3655 -- County Government -- As introduced, excepts county governments that have adopted the County Purchasing Law of 1957 from bidding for group health insurance contracts. Amends TCA Title 5, Chapter 14 and Title 8, Chapter 27.

On motion, Senate Bill No. 3655 was made to conform with **House Bill No. 3892**.

On motion, House Bill No. 3892, on same subject, was substituted for Senate Bill No. 3655.

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On motion of Senator Ketron, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 3892** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson and Yager--30.

A motion to reconsider was tabled.

Senate Bill No. 3923 -- Sumner County -- As introduced, subject to local approval, establishes procedure for distribution of proceeds of the hotel/motel tax. Amends Chapter 7 of the Private Acts of 1985.

On motion, Senate Bill No. 3923 was made to conform with **House Bill No. 3957**.

On motion, House Bill No. 3957, on same subject, was substituted for Senate Bill No. 3923.

House Bill No. 3957 passed its third and final consideration by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Stewart, Tate, Tracy, Watson, Woodson and Yager--29.

A motion to reconsider was tabled.

Senate Bill No. 194 -- Election Laws -- As introduced, requires citizenship status to be proven prior to registration to vote and requires certain procedures to ensure identity and citizenship status prior to voting. Amends TCA Title 2.

On motion, Senate Bill No. 194 was made to conform with **House Bill No. 270**.

On motion, House Bill No. 270, on same subject, was substituted for Senate Bill No. 194.

On motion of Senator Ketron, Amendment No. 1 was withdrawn.

Senator Bunch moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting Section 2 and Section 4 and redesignating remaining Sections accordingly.

On motion, Amendment No. 2 was adopted.

Senator Norris moved to amend as follows:

AMENDMENT NO. 3

AMEND by adding the following new section immediately preceding the first section of the bill and by renumbering the subsequent sections accordingly:

SECTION __. Tennessee Code Annotated, Section 2-2-116, is amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) The permanent registration record shall include all information required to be contained on or submitted with the registration form pursuant to § 2-2-115, and shall be signed by the registrant and witnessed by the administrator of elections or the administrator's designee, and shall include the following statement of the registrant: "I, being duly sworn on oath (or affirmation) declare that I am a citizen of the United States, that the above address is my legal residence, and that I plan to remain at such residence for an undetermined period of time. To the best of my knowledge and belief all of the foregoing statements made by me are true".

AND FURTHER AMEND by adding the following sections immediately preceding the effective date section and renumbering the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Section 2-2-115(a), is amended by deleting the language "postal card" and by substituting instead the language "registration".

SECTION __. Tennessee Code Annotated, Section 2-2-115(b)(2), is amended by deleting that subdivision in its entirety and by substituting instead the following:

(2) Registration forms shall include such matter as the coordinator of elections in consultation with the secretary of state requires to ascertain the qualifications of an individual applying to register under this section and to prevent fraudulent registration. The printed registration forms shall also include a statement that the applicant shall submit evidence of United States citizenship with the application and that the registrar may reject the application if no evidence of citizenship is attached.

SECTION __. Tennessee Code Annotated, Title 2, Chapter 2, Part 1, is amended by inserting the following as a new section thereto:

(a) The administrator of elections may reject any application for registration that is not accompanied by satisfactory evidence of United States citizenship. Evidence of citizenship shall include, but not be limited to, any of the following:

(1) The number of the applicant's driver license issued by the Department of Safety or a driver license, driver certificate, or nonoperating identification license issued by the equivalent governmental agency of another state within the United States if the agency indicates on the applicant's driver license, driver certificate or nonoperating identification license that the person has provided satisfactory proof of United States citizenship;

(2) A legible photocopy of the applicant's birth certificate that verifies citizenship to the satisfaction of the administrator of elections;

(3) A legible photocopy of pertinent pages of the applicant's United States passport identifying the applicant and the applicant's passport number, or presentation to the administrator of elections of the applicant's United States passport;

(4) Presentation to the administrator of elections of the applicant's United States naturalization documents or the number of the certificate of naturalization. If only the number of the certificate of naturalization is provided, the applicant shall not be included in the registration rolls until the number of the certificate of naturalization is verified with the U. S. Citizenship and Immigration Services by the administrator of elections;

(5) Other documents or methods of proof that are established pursuant to the federal Immigration Reform and Control Act of 1986; or

(6) The applicant's federal Bureau of Indian Affairs card number, tribal treaty card number or tribal enrollment number.

(b) Notwithstanding subsection (a), any person who is registered in this state on the effective date of this section is deemed to have provided satisfactory evidence of citizenship and shall not be required to resubmit evidence of citizenship.

(c) After citizenship has been demonstrated to the administrator of elections, the person is not required to resubmit satisfactory evidence of citizenship in that county.

(d) After a person has submitted satisfactory evidence of citizenship, the administrator of elections recorder shall indicate this information in the person's permanent voter file. After two (2) years the administrator of elections may destroy all documents that were submitted as evidence of citizenship.

SECTION _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 3 was adopted.

Senator Kyle moved to amend as follows:

AMENDMENT NO. 4

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Each county election commission shall report quarterly to the State Election Commission concerning the provisions of this act. Reports shall be due on February 15, May 15, September 15 and December 15 each year. The report shall include:

(1) The number of applicants attempting to register to vote since the last report;

- (2) The number of applicants registered since the last report;
- (3) The number of applicants not registered due to failure to provide sufficient proof of United States citizenship;
- (4) The types of evidence of United States citizenship submitted with accepted voter registration applications and the number of applicants submitting each type of evidence;
- (5) The types of rejected evidence of United States citizenship submitted with rejected voter registration application and the number of applicants submitting each type of evidence;
- (6) The number of applicants initially rejected on the basis of United States citizenship and later accepted since the last report;
- (7) The number of applicants rejected due to failure to provide sufficient proof of United States citizenship who did not initiate further contact with the county election commission; and
- (8) The gender, race, ethnicity, nationality of origin or any of such characteristics of rejected applicants if provided by the applicant or otherwise known; provided, that if one (1) or more of such characteristics are unknown, the total number of unknown in each category during the reporting period.

The State Election Commission shall compile such information into an omnibus annual report to be provided to the governor, secretary of state and State and Local Government Committees of the Senate and House of Representatives by February 1 each year.

Senator Bunch moved that **House Bill No. 270**, as amended, be placed at the heel of Calendar No. 2 for today, which motion prevailed.

FURTHER ACTION ON SENATE BILL NO. 3317, AS AMENDED

Thereupon, **Senate Bill No. 3317**, as amended, passed its third and final consideration by the following vote:

Ayes 18
Noes 13

Senators voting aye were: Beavers, Black, Bunch, Burchett, Crowe, Faulk, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--18.

Senators voting no were: Barnes, Berke, Burks, Finney, Harper, Haynes, Henry, Herron, Jackson, Kyle, Marrero, Stewart and Tate--13.

A motion to reconsider was tabled.

Senator Berke moved that **Senate Bill No. 1444** be placed on the Calendar for Thursday, May 13, 2010, which motion prevailed.

Senator Bunch moved that **Senate Bill No. 2033** be placed on the Calendar for Thursday, May 13, 2010, which motion prevailed.

Senate Bill No. 2847 -- Funeral Directors and Embalmers -- As introduced, authorizes board to grant reciprocity to persons licensed and employed as a funeral director in another state for five years. Amends TCA Section 62-5-311.

On motion, Senate Bill No. 2847 was made to conform with **House Bill No. 3480**.

On motion, House Bill No. 3480, on same subject, was substituted for Senate Bill No. 2847.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

On motion of Senator Kyle, Amendment No. 2 was withdrawn.

On motion of Senator Overbey, Amendment No. 3 was withdrawn.

On motion of Senator Southerland, Amendment No. 4 was withdrawn.

Senator Southerland moved to amend as follows:

AMENDMENT NO. 5

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-5-311, is amended by deleting the section in its entirety and by substituting instead the following:

(a) A nonresident of this state who holds a valid license as a funeral director or embalmer issued by another state or provincial authority may apply for a license as a funeral director or embalmer in this state by submitting written application to the board on the prescribed form, accompanied by:

(1) A fee as set by the board per license applied for; and

(2) A certificate showing that the applicant was duly examined by the other state or provincial authority at a time when the applicant was not a resident of this state.

(b)(1) If the nonresident applicant receives a scaled score of seventy-five (75) or better on an examination administered by the board, the board may, upon receipt of the fee and certificate required by subsection (a), issue to the applicant the appropriate license.

(2) Except as provided in subdivision (b)(3), the examination administered by the board shall only be administered by the board if the board determines that the applicant meets or exceeds each of the minimum qualifications required for funeral directors as described in § 62-5-305(b)(1)-(7) or embalmers as described in § 62-5-307(b)(1)-(7).

(3) A nonresident applicant failing to meet the minimum qualifications described in subdivision (b)(2), based solely upon a failure to meet § 62-5-305(b)(6) or (7) for funeral directors or § 62-5-307(b)(6) or (7) for embalmers, may meet such qualifications provided that the nonresident applicant has been licensed by another state or provincial authority in good standing for five (5) years and has been employed as a funeral director or embalmer, or both, for such time.

(c) For purposes of this section, the board shall limit the examination administered by the board to questions relating to the laws and rules governing the practice in which the nonresident applicant wishes to engage.

(d) Persons who receive a license as a funeral director or embalmer, or both, pursuant to this section, shall submit with their renewal application evidence of compliance with all the requirements of Part 6 of this chapter relative to continuing education. Continuing education requirements may be completed in a state other than Tennessee if the continuing education courses are approved by the board.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 5 was adopted.

Thereupon, **House Bill No. 3480**, as amended, passed its third and final consideration by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tracy, Watson, Woodson and Yager--29.

A motion to reconsider was tabled.

Senate Bill No. 3410 -- Funeral Directors and Embalmers -- As introduced, provides for an indigent fund to be created for certain purposes once the balance in the pre-need funeral consumer protection account exceeds \$2,500,000. Amends TCA Section 62-5-414.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the language "indigent fund" in subdivision (h)(2) wherever it appears and by substituting instead the language "indigent burial fund".

AND FURTHER AMEND by deleting all language in subsection (h)(3) in its entirety and by substituting instead the following:

(h)(3)(A)(1) An indigent burial fund shall be established for the purpose of reimbursing funeral homes that provide funeral services to Tennessee residents who are indigent.

(2) Funds shall only be expended for a person who was receiving state financial assistance on the date such indigent person died.

(3) All funds in excess of two million five hundred thousand dollars (\$2,500,000) shall not revert to the general fund of the state, but shall remain available to be allocated and used solely for such indigent funerals provided by funeral homes.

(4) Interest accruing on investments and deposits of the fund shall be credited to such account, shall not revert to the general fund, and shall be carried forward into each subsequent fiscal year.

(5) Monies in the fund shall be invested in accordance with § 9-4-603.

(6) The amount of reimbursement shall be based on available funds in the indigent burial fund at the time a request for reimbursement is filed by a funeral home.

(B) A funeral home which provides funeral services to those Tennessee residents who are indigent may file an application with the commissioner, in a manner established by the commissioner, requesting reimbursement from the indigent burial fund for amounts expended by the funeral home in providing such services. The funeral home shall be required to file documentation verifying that the expenses were for providing such services and for no other purposes.

(C) In accordance with the commissioner's rule-making authority pursuant to § 62-5-413(b), the commissioner shall promulgate rules defining indigency for purposes of eligibility for reimbursement, setting a maximum amount for reimbursement per burial, the manner in which claims shall be submitted and paid, and any other rules necessary for the proper administration of this program.

AND FURTHER AMEND by deleting Section 2 in its entirety and by substituting instead the following language:

SECTION 2. For purposes of rulemaking, this act shall take effect upon becoming law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2010, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator McNally moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting amendatory subdivisions (h)(1) and (2) in their entirety and by substituting instead the following language:

(1) There is established within the general fund a pre-need funeral consumer protection account, referred to as the "pre-need funeral account" in this section. Funds received by the commissioner under this section, up to two million five hundred thousand dollars (\$2,500,000) or a higher amount as determined by the commissioner by rule, shall be deposited into the pre-need funeral account and held solely for the purposes related to the pre-need registration program and any receivership action initiated by the commissioner against a pre-need seller pursuant to this section.

(2) Once the balance in the account exceeds two million five hundred thousand dollars (\$2,500,000) or a higher amount as determined by the commissioner by rule, an indigent fund shall be established within the general fund to be administered by the commissioner. Any funds received under this section by the commissioner which are in excess of such amount shall be deposited into the indigent fund. If the balance of the pre-need funeral account is reduced below such amount, no funds shall be deposited into the indigent fund until the pre-need funeral account balance is restored to such amount.

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 3410**, as amended, passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tracy, Watson, Woodson and Yager--28.

A motion to reconsider was tabled.

Senate Bill No. 3513 -- Utilities, Utility Districts -- As introduced, adds continuing education requirements for members of utility district board of commissioners; and rewrites provisions for utility district commissioners' removal from office and filling of vacancies. Amends TCA Title 7, Chapter 82, Part 3; Title 7, Chapter 82, Part 6 and Title 7, Chapter 82, Part 7.

Senator Overbey declared Rule 13 on **Senate Bill No. 3513**.

Senator Ketron moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-82-307(b)(1)(A), is amended by deleting the language, "and may conduct a contested case hearing in accordance with subdivision (b)(1)(B), within the service area of the utility district" in the first sentence in its entirety.

SECTION 2. Tennessee Code Annotated, Section 7-82-307, is amended by redesignating existing subdivision (b)(1)(A) as new subdivision (b)(1).

SECTION 3. Tennessee Code Annotated, Section 7-82-307, is amended by redesignating existing subdivision (b)(1)(B) as new subdivision (b)(2)(A) and redesignating existing subdivision (b)(2) as new subdivision (b)(2)(B).

SECTION 4. Tennessee Code Annotated, Section 7-82-307(b)(3)(A)(ii), is amended by deleting the following language in its entirety:

If the utility management review board elects to hold a contested case hearing on this issue, then the hearing shall be conducted within the service area of the utility district.

SECTION 5. Tennessee Code Annotated, Section 7-82-307(b), is amended by adding the following language as new subdivision (b)(4):

When the member of a utility district board of commissioners is absent from four (4) consecutive regular board meetings or from one-half (1/2) or more of the regular board meetings in a calendar year, the utility district shall report such absenteeism in writing to the county mayor of the county in which the utility district commissioner resides or is a customer and to the county mayor of the county in which the utility district's principal office is located, if different. The utility district's written report of absenteeism shall be sent to the county mayor or mayors within thirty (30) days after:

(A) The fourth consecutive unattended board meeting; or

(B) The end of the calendar year in which one-half (1/2) or more of the regular board meetings were not attended, with a copy of such written report sent to the utility district commissioner, all such reports to be sent by certified mail.

SECTION 6. Tennessee Code Annotated, Section 7-82-307(b), is further amended by adding the following language as new subdivision (b)(5):

(5) A utility district commissioner who fails to meet the training and continuing education requirements set forth in § 7-82-308(h) before the end of the commissioner's term of office shall not be eligible for reappointment or reelection to another term of office. For the purposes of this subdivision, the continuing education period used to determine whether a utility district commissioner has met the training and continuing education requirements set forth in § 7-82-308(h) shall be the last full continuing education period before the utility district commissioner's term of office ends.

SECTION 7. Tennessee Code Annotated, Section 7-82-307(c), is amended by deleting the language "within the service area of the utility district" in the second sentence in its entirety.

SECTION 8. Tennessee Code Annotated, Section 7-82-307, is amended by adding the following language as new subsection (f) and by redesignating the present language accordingly:

(f) Immediately upon indictment for misconduct in office, the indicted utility district commissioner shall be suspended from office pending the final disposition of the criminal proceeding or until the expiration of the commissioner's term of office,

whichever occurs first. While suspended, an indicted commissioner shall be ineligible to receive any payments or benefits as provided in § 7-82-308(a). In a single county utility district, the county mayor of that county shall have the power and responsibility to make an interim appointment to fill the vacancy created by the suspension from office. In a multi-county utility district, the county mayor of the county in which the indicted utility district commissioner resides or is a customer shall have the power and responsibility to make an interim appointment to fill the vacancy created by the suspension from office. If the criminal proceeding against the suspended utility district commissioner has not terminated by the expiration of the term, the office will be considered vacant and be filled as provided by law. If the criminal proceeding is terminated with a finding or verdict of guilty on any of the charges on which the commissioner was indicted, then the suspension shall be made permanent, the office will be considered vacant, and the interim appointee shall serve until the office is filled as provided by law. If the criminal proceeding against the suspended utility district commissioner related to the indictment for misconduct in office is terminated by any finding, adjudication or deferral of the proceedings, including a not guilty verdict or a dismissal on the merit, the suspension of the utility district commissioner shall be removed, and the commissioner shall become eligible to serve his or her office; simultaneously the county mayor's interim appointee shall cease to hold office.

SECTION 9. Tennessee Code Annotated, Section 7-82-308, is amended by adding the following language as new subsection (h):

(h)(1) Within one (1) year of initial appointment or election to the board of commissioners of a utility district or prior to or within one (1) year of the reappointment or reelection to the board of commissioners of an incumbent utility district commissioner holding office on the effective date of this subsection, a utility district commissioner shall attend a minimum of twelve (12) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (h)(5). An incumbent utility district commissioner holding office on the effective date of this subsection (h) who has received a minimum of twelve (12) hours of training or more in one (1) or more courses addressing subjects identified in subdivision (h)(5) within the past three (3) years may submit a request to the comptroller to be exempt from the training and continuing education requirements set forth in this subdivision (h)(1).

(2) In each continuing education period after the initial training and continuing education required by subdivision (h)(1), a utility district commissioner shall attend a minimum of twelve (12) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (h)(5). For the purposes of this subdivision (h)(2), a "continuing education period" is a period of three (3) years beginning January 1 after the calendar year in which a utility district commissioner completes the training and continuing education requirements set forth in subdivision (h)(1) and each succeeding three-year period thereafter.

(3) Each utility district commissioner shall certify by January 31 of each year the training and continuing education courses attended during the prior calendar year by filing an annual written statement with the utility district on a form developed by the comptroller. Each annual statement shall identify the date of each course attended, its subject matter, location, sponsor, and

the hours attended for each course and shall include a certificate of attendance for each course listed on the annual statement. Each utility district commissioner shall be responsible for obtaining a certificate of attendance certifying that the utility district commissioner attended the course, on a form acceptable to the comptroller. The failure to file the annual statement shall cause a commissioner to be ineligible to receive any further payment or benefit as provided in § 7-82-308(a) until the annual written statement is filed. Each utility district shall keep for six (6) years after the calendar year in which each annual statement is filed a copy of the annual statements of attendance filed by members of the board of commissioners of the utility district.

(4) The utility district shall be responsible for paying the training and continuing education course registration and travel expenses for the training and continuing education required by this subsection (h) for the members of the utility district's board of commissioners.

(5) The subjects for the training and continuing education required by subdivisions (h)(1) and (2) shall include, but not be limited to, board governance; financial oversight; policy-making responsibilities; and other topics reasonably related to the duties of the members of the board of commissioners of a utility district.

(6) Any association or organization with appropriate knowledge and experience may prepare a training and continuing education curriculum for utility district commissioners covering the subjects set forth in subdivision (h)(5) to be submitted to the comptroller for review and approval prior to use. The comptroller shall file a copy of approved training and continuing education curriculum with the utility management review board. Changes and updates to the curriculum shall be submitted to the comptroller for approval prior to use. Any training and continuing education curriculum approved by the comptroller shall be updated every three (3) years and resubmitted to the comptroller for review and approval.

(7) Nothing in this subsection shall prohibit the utility management review board from requiring training and continuing education in addition to that required under this subsection (h) for utility district commissioners of a utility district which is financially distressed under § 7-82-703.

(8) As used in this subsection (h), "utility district commissioners" include the members of the governing board of any utility district created pursuant to this chapter or any public or private act and the members of the governing board of any water or sewer authority created by any public or private act.

SECTION 10. Tennessee Code Annotated, Section 7-82-308(d), is amended by deleting the present language in its entirety and by substituting instead the following:

(d) Only persons who reside within the district's boundaries or who are customers of the district shall be eligible for appointment or election to the board. As used in this subsection, "customer" means a person who is regularly billed and pays for a utility service rendered by the district.

SECTION 11. Tennessee Code Annotated, Section 7-82-607(a)(1), is amended by deleting the language "own property" and by substituting instead the language "be a district customer".

SECTION 12. Tennessee Code Annotated, Section 7-82-607(b), is amended by deleting the language "or owner of real property" and substituting instead the language "or a district customer".

SECTION 13. Notwithstanding Tennessee Code Annotated, Section 8-48-101, the office of a district commissioner will not be vacated upon the effective date of this act solely because the district commissioner is not a district resident or customer and the district commissioner may continue in office until the expiration of such commissioner's term of office in effect on the effective date of this act.

SECTION 14. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

On motion of Senator Ketron, Amendment No. 2 was withdrawn.

On motion of Senator Beavers, Amendment No. 3 was withdrawn.

Senator McNally moved to amend as follows:

AMENDMENT NO. 4

AMEND by inserting the language "or (i)" after the language "§ 7-82-308 (h)" wherever it appears in subdivision (b)(5) of Section 6.

AND FURTHER AMEND by deleting the period at the end of subdivision (h)(8) in Section 9 and adding the language ", provided that the education and training requirements pursuant to subsection (i) and not this subsection (h) shall apply to members of the governing board of a gas utility district."

AND FURTHER AMEND by adding the following language as new, appropriately designated subsections to the amendatory language of Section 9:

(i) The provisions of subsection (h) shall not apply to any member of the governing board of a gas utility district who receives extensive annual training substantially equal to the training required pursuant to subsection (h) offered by an association of gas utility districts or directly through the gas utility district; provided that, the gas utility district submits the training curriculum to the comptroller for review and approval prior to use.

(j) If a utility district provides both water and gas, then the members of the governing board shall be subject to the education and training requirements of either subsection (h) or (i) based on the predominate customer base of the utility district.

On motion, Amendment No. 4 was adopted.

Thereupon, **Senate Bill No. 3513**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senate Bill No. 3608 -- Explosives -- As introduced, requires blasters to file a notice with commerce and insurance prior to the blast occurring. Amends TCA Section 68-105-103.

Senator Johnson moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

Senator Ketron moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting subdivision (m) in its entirety from Section 3 and by substituting instead the following language:

(m)(1)(A) Except as provided in subdivision (5), in all instances other than as provided in subsection (f) and subdivision (l)(3)(B), the person who will be conducting blasting operations shall give notice to the Department of Commerce and Insurance of the exact location a blast or blasts will occur. Such notice shall be made, in such manner as required by the commissioner, at least seventy-two (72) hours before the blasting operations commence.

(B) Such notice shall include a beginning and ending date for the blasting.

(C) No additional notification shall be required for blasts that are to occur during the period of time included in the notice.

(D) If a public utility provider requires blasting to restore services in unusual circumstances, the public utility provider or the provider's designated contractor may begin blasting operations prior to notifying the department; provided, that notice shall be provided as soon as possible.

(2) If the blasting operation is in a permanent location such as, but not limited to, a commercial quarry, mine or cemetery that has recurring blasting operations, the requirements of this subsection (m) shall be met if the person who will be conducting the blasting operations files a one-time notice of the location with the Department of Commerce and Insurance.

(3)(A) Until January 1, 2011, if notice is not given as required in this subsection (m), the commissioner may assess a fine in the amount of one hundred dollars (\$100) but, for good cause shown, may waive the payment of such fine.

(B) Beginning January 1, 2011, and thereafter, for a first violation of failing to file a required notice, the commissioner may assess a fine in the amount of one hundred dollars (\$100) and for a second or subsequent violation by the same person, a five hundred dollar (\$500) fine shall be assessed; provided, that for good cause shown, the commissioner may waive the payment of such fine.

(C) Any fines imposed and collected pursuant to this subsection (m) shall be retained by the department to defray the cost of administering and enforcing this part.

(4) The commissioner shall file an annual report with the Commerce Committee of the House of Representatives and the Senate Commerce, Labor and Agriculture Committee providing information in sufficient detail for the committees to determine whether the fines established pursuant to subdivision (m)(3) are sufficient to ensure the notifications are being timely filed with the commissioner. The first annual report shall be filed no later than March 1, 2012, and by March 1 thereafter, provided that an interim report shall be filed by March 1, 2011.

(5) No person conducting blasting operations shall be required to file a report pursuant to this subdivision if the person utilizes less than five (5) pounds of explosives per blast.

Senator Ketron moved that **Senate Bill No. 3608** be placed at the heel of Calendar No. 2 for today, which motion prevailed.

Senator Kelsey moved that **House Bill No. 2698** be placed at the heel of Calendar No. 2 for today, which motion prevailed.

House Bill No. 2700 -- Children -- As introduced, creates a rebuttable presumption of substantial harm to a child if the child is not granted visitation with a grandparent who is the parent of the child's deceased parent. Amends TCA Title 36, Chapter 6, Part 3.

House Bill No. 2700 passed its third and final consideration by the following vote:

Ayes	25
Noes	2

Senators voting aye were: Barnes, Beavers, Black, Bunch, Burchett, Burks, Crowe, Faulk, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--25.

Senators voting no were: Berke and Marrero--2.

A motion to reconsider was tabled.

Senator Yager moved that **House Bill No. 3149** be placed on the Calendar for Thursday, May 13, 2010, which motion prevailed.

FURTHER ACTION ON HOUSE BILL NO. 270, AS AMENDED

Senator Kyle moved that Amendment No. 4 be placed behind Amendment No. 5, which motion prevailed.

Senator Kyle moved that **House Bill No. 270**, as amended, be placed on the Calendar for Monday, May 10, 2010, which motion failed by the following vote:

Ayes	13
Noes	18

Senators voting aye were: Barnes, Berke, Burks, Finney, Harper, Haynes, Henry, Herron, Jackson, Kyle, Marrero, Stewart and Tate--13.

Senators voting no were: Beavers, Black, Bunch, Burchett, Crowe, Faulk, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--18.

Senator Kyle moved to amend as follows:

AMENDMENT NO. 5

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Each county election commission shall report semi-annually to the State Election Commission concerning the provisions of this act. The report shall include:

- (1) The number of applicants attempting to register to vote since the last report;
- (2) The number of applicants registered since the last report;
- (3) The number of applicants not registered due to failure to provide sufficient proof of United States citizenship;
- (4) The types of evidence of United States citizenship submitted with accepted voter registration applications and the number of applicants submitting each type of evidence;
- (5) The types of rejected evidence of United States citizenship submitted with rejected voter registration application and the number of applicants submitting each type of evidence;
- (6) The number of applicants initially rejected on the basis of United States citizenship and later accepted since the last report;
- (7) The number of applicants rejected due to failure to provide sufficient proof of United States citizenship who did not initiate further contact with the county election commission; and

(8) The gender, race, ethnicity, nationality of origin or any of such characteristics of rejected applicants if provided by the applicant or otherwise known; provided, that if one (1) or more of such characteristics are unknown, the total number of unknown in each category during the reporting period.

The State Election Commission shall compile such information into an omnibus annual report to be provided to the governor, secretary of state and State and Local Government Committees of the Senate and House of Representatives by February 1 each year.

Senator Bunch moved that **House Bill No. 270**, as amended, be placed on the Calendar for Monday, May 10, 2010, which motion prevailed.

FURTHER ACTION ON SENATE BILL NO. 3608

On motion, Amendment No. 2 was adopted.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

Thereupon, **Senate Bill No. 3608**, as amended, passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Barnes, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--28.

A motion to reconsider was tabled.

House Bill No. 2698 -- Child Custody and Support -- As introduced, restricts the modification of an existing residential schedule in a permanent parenting plan prior to a final hearing unless the parents agree to the modification or the court determines that such modification is in the best interest of the child. Amends TCA Title 36, Chapter 6, Part 4.

House Bill No. 2698 passed its third and final consideration by the following vote:

Ayes	22
Noes	3
Present, not voting . . .	1

Senators voting aye were: Barnes, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, McNally, Norris, Overbey, Southerland, Watson, Woodson, Yager and Mr. Speaker Ramsey--22.

Senators voting no were: Berke, Herron and Marrero--3.

Senator present and not voting was: Harper--1.

A motion to reconsider was tabled.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 769 -- Education -- As introduced, clarifies that the department which is to report on the design of a comprehensive plan to reduce the burden of asthma on students is the Department of Health; requires the report to be made to the Education Committees of the House and Senate in addition to the Senate General Welfare, Health and Human Resources Committee and the House Health and Human Resources Committee. Amends TCA Title 49.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. The Peace Officers Standards and Training Commission, in consultation with the law enforcement training academy, shall report to the select committee on education oversight on current law enforcement training and procedures for responding to violent school incidents in elementary and secondary schools and in postsecondary institutions. The commission shall include in its report a discussion of immediate action rapid deployment training for state or local law enforcement personnel and whether such training is in use or should be implemented for law enforcement personnel confronted with violent school situations. The commission, in consultation with the Department of Education, shall also consider if, after enactment of the Schools Against Violence in Education Act, codified in Title 49, Chapter 6, Part 8, district-wide and building-level safety plans have been implemented in LEAs throughout the state that contain appropriate violence prevention and intervention strategies, including, but not limited to, adequate training for school resource officers and other security personnel in responding to violent school incidents. The commission shall also report whether modifications or changes should be made in current training and procedures for law enforcement personnel responding to violent school situations. The commission shall submit its report by February 1, 2011.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Burchett moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 769**, which motion prevailed by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2411 -- Firefighters -- As introduced, removes the exemption for Hawkins County from the minimum training requirements for firefighters. Amends TCA Section 4-24-112.

HOUSE AMENDMENT NO. 2

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section Tennessee Code Annotated, Section 4-24-112(n), is amended by deleting the figure "31,100" under the column heading "not less than" and by deleting the figure "31,200" under the column heading "nor more than".

Senator Faulk moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 2411**, which motion prevailed by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 3

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 4-24-112, is amended by deleting subsection (h)(1) in its entirety.

Senator Faulk moved that the Senate nonconcur in House Amendment No. 3 to **Senate Bill No. 2411**, which motion prevailed.

HOUSE AMENDMENT NO. 4

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 4-24-112(g), is amended by deleting the language "62,900" and "63,000" in its entirety.

Senator Faulk moved that the Senate concur in House Amendment No. 4 to **Senate Bill No. 2411**, which motion prevailed by the following vote:

Ayes	27
Noes	0

Senators voting aye were: Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--27.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 5

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section Tennessee Code Annotated, Section 4-24-112(n), is amended by deleting the figure "12,369" under the column heading "not less than" and by deleting the figure "12,450" under the column heading "nor more than".

Senator Faulk moved that the Senate concur in House Amendment No. 5 to **Senate Bill No. 2411**, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 6

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 4-24-112(g)(1), is amended by deleting the figures "33,525" under the heading "not less than" and by deleting the figures "33,600" under the heading "nor more than".

Senator Faulk moved that the Senate concur in House Amendment No. 6 to **Senate Bill No. 2411**, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 7

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

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SECTION _____. Tennessee Code Annotated, Section 4-24-112(g), is amended by deleting the following population range from the county exclusion table:

<u>not less than</u>	<u>nor more than</u>
58,100	58,200

Senator Faulk moved that the Senate concur in House Amendment No. 7 to **Senate Bill No. 2411**, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 9

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 4-24-112(n), is amended by deleting the figures "25,450" under the column "not less than" and by deleting the figures "25,550" under the column "nor more than".

Senator Faulk moved that the Senate concur in House Amendment No. 9 to **Senate Bill No. 2411**, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 10

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 4-24-112(n), is amended by deleting the figure "32,400" under the column heading "not less than" and by deleting the figure "32,500" under the column heading "nor more than".

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Senator Faulk moved that the Senate concur in House Amendment No. 10 to **Senate Bill No. 2411**, which motion prevailed by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 11

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION___. Tennessee Code Annotated, Section 4-24-112(k)(1), is amended by deleting the figure "51,900" under the column heading "not less than" and by deleting the figure "52,000" under the column heading "nor more than".

Senator Faulk moved that the Senate concur in House Amendment No. 11 to **Senate Bill No. 2411**, which motion prevailed by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 12

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION___. Tennessee Code Annotated, Section 4-24-112(n), is amended by deleting the figure "44,200" under the column heading "not less than" and by deleting the figure "44,300" under the column heading "nor more than".

Senator Faulk moved that the Senate concur in House Amendment No. 12 to **Senate Bill No. 2411**, which motion prevailed by the following vote:

Ayes 29
Noes 0

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Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 13

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 4-24-112(k)(1), is amended by deleting the figure "10,900" under the column heading "not less than" and by deleting the figure "11,000" under the column heading "nor more than".

Senator Faulk moved that the Senate concur in House Amendment No. 13 to **Senate Bill No. 2411**, which motion prevailed by the following vote:

Ayes	28
Noes	1

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Watson, Woodson, Yager and Mr. Speaker Ramsey--28.

Senator voting no was: Haynes--1.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3002 -- Support -- As introduced, establishes a presumption that each parent has knowledge of a parent's legal and moral obligation to support his or her child or children. Amends TCA Section 36-1-102.

HOUSE AMENDMENT NO. 1

AMEND by inserting in the amendatory language of Section 1 of the printed bill the language "who is eighteen (18) years of age or older" between the word "parent" and the language "is presumed".

AND FURTHER AMEND by deleting from the amendatory language of Section 1 of the printed bill the language "and moral".

Senator Berke moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 3002**, which motion prevailed by the following vote:

Ayes	28
Noes	1

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Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Watson, Woodson, Yager and Mr. Speaker Ramsey--28.

Senator voting no was: Henry--1.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3034 -- Alcoholic Beverages -- As introduced, adds Sligo Marina in Dekalb County to those facilities authorized to sell alcoholic beverages for on-premises consumption as a premier type tourist resort. Amends TCA Section 57-4-102.

HOUSE AMENDMENT NO. 1

AMEND by adding the following new section immediately preceding the last section of the printed bill and by renumbering the subsequent section accordingly:

SECTION 2. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following as a new, appropriately designated subdivision:

() A commercially operated facility containing all of the following characteristics:

(i) The facility includes a one hundred forty-seven thousand (147,000) square foot boat and RV showroom and service center with retail sales of all types of camping and boating equipment as well as a boat and RV parts department;

(ii) The facility has a two hundred fifty (250) seat full service restaurant;

(iii) The facility has a two hundred fifty (250) site campground with two (2) swimming pools, cabins and a lodge;

(iv) The facility is a travel center with a store, pizzeria, delicatessen, fuel center;

(v) The facility has an arcade;

(vi) The facility is located at 2475 Westel Road; and

(vii) The facility is located within a county having a population of not less than forty-six thousand eight hundred (46,800) nor more than forty-six thousand nine hundred (46,900), according to the 2000 federal census or any subsequent federal census.

Senator Faulk moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 3034**, which motion prevailed by the following vote:

Ayes 22
Noes 4

Senators voting aye were: Barnes, Berke, Black, Burchett, Crowe, Faulk, Finney, Harper, Haynes, Henry, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Woodson, Yager and Mr. Speaker Ramsey--22.

Senators voting no were: Bunch, Burks, Herron and Southerland--4.

A motion to reconsider was tabled.

HOUSE AMENDMENT NO. 2

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following as a new, appropriately designated subdivision:

() A commercially operated facility containing all of the following characteristics:

(i) The facility has a marina with at least one hundred one (101) wet slips;

(ii) The facility has a minimum of seventy-five (75) paved single car parking spaces;

(iii) The facility has a restaurant with inside seating for at least forty (40) persons and outside seating for at least two hundred sixty (260) persons; and

(iv) The facility is located within a county having a population of not less than thirty-one thousand one hundred (31,100) nor more than thirty-one thousand two hundred fifty (31,200), according to the 2000 federal census or any subsequent federal census;

Senator Faulk moved that the Senate nonconcur in House Amendment No. 2 to **Senate Bill No. 3034**, which motion prevailed.

Madame Speaker Pro Tempore Woodson moved that **Senate Bill No. 3053** be placed at the heel of the Message Calendar for today, which motion prevailed.

Madame Speaker Pro Tempore Woodson moved that **Senate Bill No. 3489** be placed on the Message Calendar for Thursday, May 13, 2010, which motion prevailed.

Madame Speaker Pro Tempore Woodson moved that **Senate Bill No. 3053** be placed on the Message Calendar for Thursday, May 13, 2010, which motion prevailed.

NOTICES

MESSAGE FROM THE HOUSE

May 6, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2685. The House nonconcurrred in Senate Amendment No. 2.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 6, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3806, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MOTION

Senator Norris moved that the Proposed Schedule for the week of May 10, 2010, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
106th GENERAL ASSEMBLY**

**PROPOSED SCHEDULE
FOR THE WEEK OF MAY 10, 2010**

MONDAY – May 10

4:00 p.m. Session – Senate Chamber

TUESDAY – May 11

9:00 a.m. – 12:00 noon	Finance, Ways & Means Committee
12:00 noon – 1:30 p.m.	Lunch
1:30 p.m. – 5:00 p.m.	Finance, Ways & Means Committee (Budget Sub and Tax Sub will meet immediately following)

WEDNESDAY – May 12

9:00 a.m. – 11:00 a.m.	State & Local Government Committee
11:00 a.m. – 12:00 noon	Government Operations Committee
12:00 noon – 1:30 p.m.	Lunch
1:30 p.m. – 5:00 p.m.	Finance, Ways & Means Committee (Budget Sub and Tax Sub will meet immediately following)

THURSDAY – May 13

9:00 a.m.

Session – Senate Chamber

OTHER MEETINGS: Fiscal Review Committee, Monday, May 10, 2010, at 1:30 p.m., Room 16 LP.

MOTION

On motion of Senators Haynes, Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 1217**.

On motion of Senators Tracy, Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Harper, Haynes, Henry, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Watson, Woodson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Joint Resolution No. 1148**.

On motion of Senator Overbey, his name was added as sponsor of **House Joint Resolution No. 1223**.

On motion of Senator Barnes, his name was added as sponsor of **House Joint Resolution No. 1206**.

On motion of Senator Herron, his name was added as sponsor of **Senate Joint Resolutions Nos. 1125, 1131, 1132, 1133, 1134, 1135, 1136 and 1139; and House Joint Resolution No. 777**.

On motion of Senators Tracy and Black, their names were added as sponsors of **Senate Joint Resolution No. 1128; Senate Resolutions Nos. 218 and 219; and House Joint Resolution No. 1177**.

On motion of Senators Marrero and Herron, their names were added as sponsors of **Senate Joint Resolution No. 1129**.

On motion of Senators Harper, Haynes and Johnson, their names were added as sponsors of **Senate Joint Resolution No. 1138**.

On motion of Senators Berke and Watson, their names were added as sponsors of **House Joint Resolution No. 1158**.

On motion of Senator Faulk, his name was added as sponsor of **Senate Bill No. 3011; and House Joint Resolutions Nos. 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175 and 1176**.

On motion of Senators Watson and Bunch, their names were added as sponsors of **House Joint Resolution No. 1192**.

On motion of Senators Stewart and Burks, their names were added as sponsors of **Senate Bill No. 2382**.

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On motion of Senator Marrero, her name was added as sponsor of **Senate Bill No. 2804; and House Joint Resolution No. 1016.**

On motion of Senator Crowe, his name was added as sponsor of **Senate Joint Resolution No. 860.**

On motion of Senators Burchett, Marrero and Crowe, their names were added as sponsors of **House Joint Resolution No. 1022.**

On motion of Senators Marrero, Tate, Burks, Ketron and Black, their names were added as sponsors of **Senate Bill No. 3638.**

On motion of Senators Kelsey and Beavers, their names were added as sponsors of **Senate Bill No. 194.**

On motion of Senators Finney, Faulk and Ketron, their names were added as sponsors of **Senate Bill No. 2847.**

On motion of Senators Finney, Ketron and Burks, their names were added as sponsors of **Senate Bill No. 3410.**

On motion of Senators Faulk and Ketron, their names were added as sponsors of **Senate Bill No. 3513.**

On motion of Senators Haynes and Burks, their names were added as sponsors of **Senate Bill No. 3036.**

On motion of Senator Burks, her name was added as sponsor of **Senate Bill No. 3002.**

ENGROSSED BILLS

May 6, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 2382, 2804, 3317, 3410, 3457, 3513 and 3608; and Senate Joint Resolutions Nos. 978, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139 and 1140; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 6, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolution No. 1148, and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

THURSDAY, MAY 6, 2010 -- 85TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 270, 3025, 3057, 3157, 3164, 3182, 3404, 3407, 3421, 3428, 3792 and 3805; passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 6, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 725, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 974, 1019, 1161, 1180, 1181, 1182, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1219, 1220, 1222 and 1223; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3789, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2023 and 3425, substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

THURSDAY, MAY 6, 2010 -- 85TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2581, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3012, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3144, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 3421 and 3528, substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 6, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1075 and 3819, substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 6, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3246, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

THURSDAY, MAY 6, 2010 -- 85TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

May 6, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3257, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 767, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 980, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118 and 1121; concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 5, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 1119 and 1120, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 6, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 886, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

THURSDAY, MAY 6, 2010 -- 85TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

May 6, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 1148, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

May 6, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bill No. 3012, and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

May 6, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 767, 980, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120 and 1121; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

May 6, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Resolutions Nos. 217, 218 and 219; and find same correctly enrolled and ready for the signature of the Speaker.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

THURSDAY, MAY 6, 2010 -- 85TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

May 4, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 185, 2483, 2766, 3456, 3459, 3651, 3987, 3990 and 3991; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 6, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2817, for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 6, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 777, 813, 1016, 1022, 1158, 1159, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1206 and 1217; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 6, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1192 and 1223, for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

SIGNED

May 4, 2010

The Speaker announced that he had signed the following: Senate Bills Nos. 2797, 3255 and 3715.

SIGNED

May 5, 2010

The Speaker announced that he had signed the following: House Bills Nos. 185, 2483, 2766, 3456, 3459, 3651, 3987, 3990 and 3991.

SIGNED

May 6, 2010

The Speaker announced that he had signed the following: Senate Bill No. 3012.

THURSDAY, MAY 6, 2010 -- 85TH LEGISLATIVE DAY

SIGNED

May 6, 2010

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 767, 980, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120 and 1121.

SIGNED

May 6, 2010

The Speaker announced that he had signed the following: Senate Resolutions Nos. 217, 218 and 219.

SIGNED

May 6, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 1192 and 1223.

SIGNED

May 7, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 777, 813, 1016, 1022, 1158, 1159, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1206 and 1217.

MESSAGE FROM THE HOUSE

May 4, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2797, 3255 and 3715; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 6, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3012, signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

THURSDAY, MAY 6, 2010 -- 85TH LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

May 6, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 767, 980, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120 and 1121; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 5, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 2797, 3255 and 3715; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 6, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bill No. 3012, for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 6, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 767, 980, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120 and 1121; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

THURSDAY, MAY 6, 2010 -- 85TH LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR

May 3, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 2198, 3706 and 3834; with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

May 5, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 1321 and 3727, with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

May 5, 2010

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 2797, 3255 and 3715; with his approval.

STEVEN E. ELKINS,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, May 10, 2010: House Joint Resolutions Nos. 1180, 1181, 1182, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1219 and 1220.

This the 6th day of May, 2010.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, May 10, 2010: House Bill No. 270; Senate Bills Nos. 63, 94, 966, 1325, 1589, 1751, 1754, 2472, 2485, 2487, 2545, 2565, 2665, 2703, 2708, 2795, 2810, 2811, 2908, 3003, 3094, 3121, 3134, 3155, 3169, 3186, 3222, 3267, 3335, 3345, 3363, 3367, 3380, 3394, 3411, 3428, 3524, 3526, 3538, 3549, 3621, 3678, 3692, 3740, 3753 and 3897; House Joint Resolution No. 1047; and Senate Joint Resolution No. 860.

This the 6th day of May, 2010.
MIKE FAULK, Chairperson.

THURSDAY, MAY 6, 2010 -- 85TH LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Monday, May 10, 2010: Senate Bills Nos. 2465, 2712, 3161, 3430, 3602 and 3806; House Bills Nos. 1184, 2593 and 2685; and Senate Joint Resolution No. 306.

This the 6th day of May, 2010.
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Norris moved the Senate adjourn until 4:00 p.m., Monday, May 10, 2010, which motion prevailed.